

U.S. COURT OF APPEALS - EIGHTH CIRCUIT
 APPELLANT'S FORM A
 Appeal Information Form
 To be filed with the Notice of Appeal

Appeal Docket No. _____

STYLE OF CASE:

International Union, United Automobile,
 Aerospace, and Agricultural Implement
 Workers of America, and UAW Local
 997, on behalf of themselves and the
 certified class,

Appellant

vs.

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Robert A. Seltzer, Cornfield and Feldman, 25 East
 Washington Street, Suite 1400, Chicago, Illinois
 60602-1803; 312-236-7800

Barry A. Macey, Macey Swanson and Allman, 445
 N. Pennsylvania Street, Suite 401, Indianapolis,
 Indiana 46204; 317-637-2345

Maytag Corporation, a subsidiary of
 Whirlpool Corporation, and Whirlpool
 Corporation,

Appellee

COUNSEL: NAME, ADDRESS, AND TELEPHONE NUMBER

Douglas A. Darch, Baker & McKenzie LLP, One
 Prudential Plaza, 130 E. Randolph Drive, Suite 3500,
 Chicago, Illinois 60601; 312-861-8933

LIST ISSUES ON APPEAL (For administrative purposes). You may indicate that this also serves as your statement of issues under FRAP 10(b)(3). ☐ Yes. ☒ No.

1) The district court's findings and conclusions are unsupported by the evidence or are contrary to the evidence; 2) the court lacks subject matter jurisdiction because there was no case or controversy; 3) the class certification is improper and contrary to applicable law; 4) the district court should have dismissed the case because the requirements of the Declaratory Judgment Act, the LMRA, and ERISA were not met; 5) the case should have been transferred to the Western District of Michigan.

FOR LEAD COUNSEL ONLY

I ☐ have ☒ have not) discussed settlement possibilities on appeal with my client.

This appeal ☐ is ☐ is not) amenable to settlement.

Submitted by: s/ Robert A. Seltzer
 Signature of Lead Counsel

July 24, 2011

Date

INSTRUCTIONS:

Filing of appellant's Form A is required to be submitted to the Clerk of the District Court with the Notice of Appeal (8 Cir. Rule 3B). If inadvertently omitted, appellant may file Form A directly with the Clerk of the Court of Appeals before appeal is docketed. Forms are available at the District Court Clerk's Office and may be obtained electronically at:

www.ca8.uscourts.gov

Copy 1 - Send to Appellee (together with an uncompleted Form B)

Copy 2 & 3 - Send to Clerk, District Court with Notice of Appeal or Eighth Circuit (see above)

Copy 4 - Retain